

**Senate File 2410 - Introduced**

SENATE FILE 2410

BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO SSB 3200)

**A BILL FOR**

1 An Act relating to the use of revenues from the secure an  
2 advanced vision for education fund for certain athletic  
3 facility infrastructure projects and including effective  
4 date and retroactive applicability provisions.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 423F.3, subsection 7, paragraph a, Code  
2 2020, is amended to read as follows:

3 a. Prior to approving the use of revenues received under  
4 this chapter for an athletic facility infrastructure project  
5 within the scope of the school district's approved revenue  
6 purpose statement or pursuant to subsection 4 for a school  
7 district without an approved revenue statement, the board of  
8 directors shall adopt a resolution setting forth the proposal  
9 for the athletic facility infrastructure project and hold an  
10 additional public hearing on the issue of construction of the  
11 athletic facility. Notice of the time and place of the public  
12 hearing shall be published not less than ten nor more than  
13 twenty days before the public hearing in a newspaper which is a  
14 newspaper of general circulation in the school district. If  
15 at any time prior to the fifteenth day following the hearing,  
16 the secretary of the board of directors receives a petition  
17 containing the required number of signatures and asking that  
18 the question of the approval of the use of revenues for the  
19 athletic facility infrastructure project be submitted to the  
20 voters of the school district, the board of directors shall  
21 either rescind the board's resolution for the use of revenues  
22 for the athletic facility infrastructure project or direct the  
23 county commissioner of elections to submit the question to the  
24 registered voters of the school district at an election held  
25 on a date specified in section 39.2, subsection 4, paragraph  
26 "c". The petition must be signed by eligible electors equal  
27 in number to ~~not less than one hundred~~ the lesser of one  
28 thousand or thirty percent of the number of voters who cast  
29 a vote for the board of directors of the school district at  
30 the last preceding election of school officials under section  
31 277.1, whichever is greater but not less than one hundred.  
32 If ~~a majority~~ at least sixty percent of those voting on the  
33 question favors the use of the revenues for the athletic  
34 facility infrastructure project, the board shall be authorized  
35 to approve such use by resolution of the board. If ~~a majority~~

1 less than sixty percent of those voting on the question ~~does~~  
2 ~~not favor~~ favours the use of the revenues for the athletic  
3 facility infrastructure project, the board of directors shall  
4 rescind the board's resolution for the use of revenues for the  
5 athletic facility infrastructure project. If a petition is not  
6 received by the board of directors within the prescribed time  
7 period, the board of directors may approve the use of revenues  
8 for the athletic facility infrastructure project without voter  
9 approval.

10     Sec. 2. SECURE AN ADVANCED VISION FOR EDUCATION REVENUES —  
11 ATHLETIC FACILITY INFRASTRUCTURE PROJECTS — ELECTION REQUIRED.

12     1. For an athletic facility infrastructure project approved  
13 by the board of directors of a school district on or after  
14 May 1, 2020, but before the effective date of this Act, to  
15 be funded in whole or in part by revenues from the secure an  
16 advanced vision for education fund, the portion of section  
17 423F.3, subsection 7, authorizing the filing of a petition  
18 requesting an election be held on the question of the approval  
19 of the use of revenues for the project shall not apply and such  
20 athletic facility infrastructure project shall not be funded in  
21 whole or in part by revenues from the secure an advanced vision  
22 for education fund until the use is approved by the voters of  
23 the school district under subsection 2.

24     2. For an athletic facility infrastructure project subject  
25 to the election requirement of subsection 1, the board of  
26 directors shall either rescind the board's resolution for  
27 the use of revenues for the athletic facility infrastructure  
28 project or direct the county commissioner of elections to  
29 submit the question to the registered voters of the school  
30 district at an election held on a date specified in section  
31 39.2, subsection 4, paragraph "c". If at least sixty percent  
32 of those voting on the question favors the use of the revenues  
33 for the athletic facility infrastructure project, the board  
34 shall be authorized to approve such use by resolution of the  
35 board. If less than sixty percent of those voting on the

1 question favors the use of the revenues for the athletic  
2 facility infrastructure project, the board of directors shall  
3 rescind the board's resolution for the use of revenues for the  
4 athletic facility infrastructure project.

5 3. For purposes of this section, "athletic facility  
6 infrastructure project" means the same as defined in section  
7 423F.3, subsection 7.

8 Sec. 3. EFFECTIVE DATE. This Act, being deemed of immediate  
9 importance, takes effect upon enactment.

10 Sec. 4. RETROACTIVE APPLICABILITY. The section of this Act  
11 relating to athletic facility infrastructure projects approved  
12 on or after May 1, 2020, but before the effective date of this  
13 Act applies retroactively to May 1, 2020, for athletic facility  
14 infrastructure projects approved on or after that date but  
15 before the effective date of this Act.

16 EXPLANATION

17 The inclusion of this explanation does not constitute agreement with  
18 the explanation's substance by the members of the general assembly.

19 This bill relates to the use of revenues from the secure an  
20 advanced vision for education (SAVE) fund for certain athletic  
21 facility infrastructure projects.

22 Code section 423F.3 provides that prior to approving the  
23 use of revenues received from the SAVE fund for an athletic  
24 facility infrastructure project, the board of directors of  
25 the school district must adopt a resolution setting forth the  
26 proposal for the athletic facility infrastructure project and  
27 hold an additional public hearing on the issue of construction  
28 of the athletic facility. Additionally, if at any time prior  
29 to the fifteenth day following the hearing, the secretary of  
30 the board of directors receives a petition containing the  
31 required number of signatures and asking that the question  
32 of the approval of the use of revenues for the athletic  
33 facility infrastructure project be submitted to the voters  
34 of the school district, the board of directors shall either  
35 rescind the board's resolution for the use of revenues for

1 the athletic facility infrastructure project or direct the  
2 county commissioner of elections to submit the question to the  
3 registered voters of the school district. The petition is  
4 required to be signed by eligible electors equal in number to  
5 not less than 100 or 30 percent of the number of voters at the  
6 last preceding election of school officials. Under the bill,  
7 such a petition must be signed by eligible electors equal in  
8 number to the lesser of 1,000 or 30 percent of the number of  
9 voters who cast a vote for the board of directors of the school  
10 district at the last preceding election of school officials,  
11 but not less than 100. Additionally, the bill changes the  
12 threshold for voter approval of the use of SAVE fund revenues  
13 for an athletic facility infrastructure project from a majority  
14 to 60 percent.

15 For an athletic facility infrastructure project approved by  
16 the board of directors of a school district on or after May 1,  
17 2020, but before the effective date of the bill, to be funded  
18 in whole or in part by revenues from the secure an advanced  
19 vision for education (SAVE) fund, the bill provides that the  
20 portion of Code section 423F.3(7) authorizing the filing of a  
21 petition requesting an election be held on the question of the  
22 approval of such use shall not apply and that such athletic  
23 facility infrastructure project shall not be funded in whole  
24 or in part by revenues from the SAVE fund until the use is  
25 approved by the voters of the school district.

26 The section of the bill relating to athletic facility  
27 infrastructure projects approved on or after May 1, 2020, but  
28 before the effective date of the bill applies retroactively  
29 to May 1, 2020, for athletic facility infrastructure projects  
30 approved on or after that date but before the effective date  
31 of the bill.

32 The bill takes effect upon enactment.